

**Monthly Progress Report #1**  
**July 17, 2009**

**U.S. EPA Region 5 / VIM Recycling, Inc.**  
**Administrative Consent Order # EPA-5-09-113(a)-IN-05**

**Introduction**

On June 29, 2009, VIM Recycling, Inc. entered into an Administrative Consent Order (ACO) #EPA-5-09-113(a)-IN-05 with the United States Environmental Protection Agency, Region 5. The ACO contains a 'Compliance Program' that VIM Recycling, Inc. must follow in order to stay in compliance with the agreement. The VIM Recycling, Inc. facility referenced in the ACO is located at 29861 Old US Highway 33 in Elkhart, Indiana.

A detailed 'Compliance Program' is set forth in paragraphs 26 – 58 of the ACO. In general, the program stipulates the following:

- Monitoring for and control of fire, smoke, dust and odors from stockpiled debris,
- Monitoring and surveillance of the stockpiled debris to detect fires,
- Recordkeeping, documentation and reporting of progress to EPA and IDEM
- Sorting, screening and removal the larger fraction (4 inches or greater) of construction and demolition debris found in stockpiles C-1 and O-1 as delineated in Attachment 1.
- Placement of the smaller fraction (4 inches or less) of the debris sorted and screened into engineered windrows on site

The C-1 pile contains construction and demolition debris mixed with soil and must be sorted and screened prior to removal from the site for disposal. The O-1 pile contains larger fraction material (4" or greater) which was previously screened out and will not require sorting or screening prior to removal from the site. An updated topographic map of the C-1 pile can be found in Attachment 2. The ACO stipulates that additional construction and demolition debris cannot be placed within the limits of either the C-1 and O-1 pile.

Finally, the ACO requires development of a contingency plan for possible emergencies which may occur during the project and a provision to establish a website to keep the public apprised of progress on the removal project.

The following report reviews the progress made to implement the ACO between June 29, 2009 and July 5, 2009, which is the month end for general accounting purposes for VIM Recycling, Inc.

## **Progress Report**

This report is divided into two sections, the administrative aspect of the ACO and the field activities aspect of the ACO. A summary of these respective activities during this reporting period is found below.

### **Administrative Management Activities Update**

- The ACO was signed by Mr. Kenneth Will on June 25, 2009 and submitted to U.S. EPA Region 5 the same day.
- On June 29, 2009, the ACO was executed by Ms. Cheryl Newton, Director of the U.S. EPA Region 5 Air & Radiation Division.
- The ACO was filed with the Regional Hearing Clerk on June 29, 2009 and sent via Certified Mail to VIM Recycling, Inc.
- An executed original of the ACO was received by express mail at VIM Recycling, Inc. on July 2, 2009.
- VIM Recycling, Inc. contacted the U.S. EPA Region 5 field personnel and immediately began work to implement the ACO.
- A weekly progress report form was developed and proposed to U.S. EPA for consideration on July 1, 2009. This form was accepted and is found in Attachment 3.
- Meetings were held with Mr. Kim Davis at the Elkhart County Landfill and Mr. Tom Wilson at the Earthmovers Landfill to assess and discuss disposal options and procedures for the C-1 and O-1 pile materials which will require disposal on July 2, 2009.
- A general staff meeting was held between all employees of VIM Recycling, Inc. to be involved in the project and U.S. EPA Region 5 field personnel on July 2, 2009 to clarify expectations on both operations and safety procedures to be adhered to during the project.
- The VIM Recycling, Inc. main website (<http://www.vimrecycling.com>) will be updated to include monthly progress reports as well as photographs to show current conditions of the C-1 and O-1 piles as well as the equipment being utilized during the project. Contact was made with Holt Communications to update the project website.

### **Field Activities Update**

- Grading and placement of stone was conducted to establish an access, equipment staging and vehicle turn-around area in the southwest corner of the C-1 pile (see Photo Log photo #1).
- Grading of areas adjacent to the C-1 and O-1 piles was initiated to establish an adequate area for placement of the smaller fraction of the debris to be screened in engineered windrows. This activity involved establishing positive drainage for the areas where the material will be windrowed.
- The height of the O-1 pile was reduced to facilitate safe excavation and removal of debris contained within the pile into large trucks for transport off site.

- Heavy equipment to be used in the project for excavation, screening and transport was brought to the site and maintenance and cleaning was performed in preparation for start-up of sorting and screening operations. See Photo Log photos #2, 3 and 4 for details on the equipment anticipated to be used during the project.

Paragraph 43 of the ACO requires Weekly Progress Reports to be submitted to U.S. EPA each Monday. The following Weekly Progress Reports corresponding to the reporting period for this Monthly Progress Report are identified in the table below.

Weekly Report #	Reporting Period
1	6/29 – 7/5

Copies of the Weekly Progress Reports are found in Attachment 4.

#### **Anticipated Activities Next Month**

- Certification reports will be obtained for the scales at the VIM Recycling, Inc. facility and the destination facility selected for material disposal to comply with Paragraph 41 of the ACO.
- During the month of July, it is anticipated that sorting, screening and removal activities on the C-1 and O-1 piles will commence. It is fully expected that the weekly target stipulated in Paragraph 33 of 1000 cubic yards per week will be met.
- Meetings will be scheduled with local and state officials to advise them of the ACO, provide an overview of planned activities to remove, transport and dispose of the materials, and answer any questions.
- A field survey will be conducted and an updated topographic map of the C-1 and O-1 stockpiles will be finalized and submitted to comply with Paragraph 44 of the ACO.
- A Site Emergency Plan will be developed to comply with Paragraph 52 and submitted by the deadline of July 21, 2009. Once a preliminary draft is developed, a meeting will be held on site with the Baugo Fire Department, Elkhart County Emergency Management Agency, the Indiana Department of Environmental Management Emergency Response Branch, and the U.S. EPA Region 5 to provide a general site orientation and overview of the draft plan. Comments, input and suggestions will be solicited and incorporated into the draft plan, which will then be finalized and submitted to U.S. EPA as required. Copies of the finalized document will be provided to all parties referenced above.

- The VIM Recycling, Inc. website will be updated to comply with Paragraph 56 of the ACO to provide the public with updates on progress made to remove stockpiled materials in the C-1 and O-1 piles.

### **Contact Information**

Copies of all reporting and documentation required by the ACO are available on site for review at any time by Agency personnel. Any questions regarding this Monthly Report should be directed to:

Mr. Kenneth Will  
VIM Recycling, Inc.  
29861 Old US Highway 33  
Elkhart, Indiana 46516  
Phone: 574/642-3677  
Email: kwill05@comcast.net

### **Report Submittal**

As required by Paragraph 57 of the ACO, copies of this report were submitted to the following entities:

Attention: Compliance Tracker (AE-17J)  
Air Enforcement and Compliance Assurance Branch  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Attention: Mr. Bruce Palin  
State of Indiana Department of Environmental Management  
Office of Land Quality (MC 66-30)  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251